

CLERK OF DISTRICT COURT

2016 APR 15 PM 12:07

FILED

BY _____
DEPUTY

**MONTANA ELEVENTH JUDICIAL DISTRICT COURT
FLATHEAD COUNTY**

MONICA J. LINDEEN, State Auditor)
Auditor and Ex-Officio, Montana)
Securities Commissioner)

Petitioner,)

v.)

CATHERINE ANN FINBERG,)
A/K/A CATHY FINBERG)

Respondent.)

No. DV-16-346 D

**TEMPORARY RESTRAINING
ORDER AND ORDER
SETTING SHOW CAUSE
HEARING**

Having considered the petition of the Commissioner of Securities and Insurance, Montana State Auditor (Commissioner) and Affidavit in support thereof, this Court finds:

1. This Court has authority to act in this matter pursuant to Mont. Code Ann. §§ 27-19-314, 27-19-315, 30-10-201, 30-10-301, 30-10-305 and 30-10-325.

2. The Office of the Commissioner of Securities and Insurance (CSI) is a criminal justice agency. Mont. Code Ann. § 30-10-304(5).

3. The Respondent, Catherine Ann Finberg (Finberg), is acting as a securities broker.

4. Finberg is the subject of an investigation by CSI.

5. Finberg has the ability to transfer encumber, dispose of, or attempt to transfer, encumber or dispose of certain assets, monies, and property interests of investors.

6. As a result of that ability, delay in granting the relief requested in the Petition would cause immediate and irreparable injury to investors before the Respondent or her attorney could be heard in opposition.

7. The Commissioner has satisfied the requirements of Mont. Code Ann. § 27-19-315(2).

Having found good cause to believe the Commissioner is entitled to the relief requested and that granting said relief without notice is proper to prevent immediate and irreparable injury to investors, the Court enters the following:

ORDER

1. Pursuant to Mont. Code Ann. §§ 27-19-314 and 30-10-305(1)(b), the Respondent, Catherine Ann Finberg, is temporarily restrained from engaging in securities business practices in the state of Montana.

2. Pursuant to Mont. Code Ann. §§ 27-19-314 and 30-10-305(1)(b), the Respondent, Catherine Ann Finberg, is temporarily restrained from committing

further violations of the Securities Act of Montana (Act) found at Mont. Code Ann. § 30-10-101 et seq.

3. Pursuant to Mont. Code Ann. §§ 27-19-314 and 30-10-305(1)(b), the Respondent, Catherine Ann Finberg, is temporarily restrained from transferring, encumbering, or disposing of, or attempting to transfer, encumber, or dispose of any monies, assets, and property interests the Respondent possesses or controls that may have been obtained, in whole or in part, using investor funds.

4. Pursuant to Mont. Code Ann. §§ 27-19-314 and 30-10-305(1)(b), the Respondent, Catherine Ann Finberg, is temporarily restraining Finberg from transferring, encumbering, or disposing of, or attempting to transfer, encumber, or dispose of any monies held in any of the bank accounts or securities brokerage accounts owned or controlled by Finberg at the following entities:

**Glacier Bank
202 Main Street
Kalispell, Montana 59901**

**Vanguard
P.O. Box 2600
Valley Forge, PA 19482-2600**

**Interactive Brokers
One Pickwick Plaza, 2nd Floor
Greenwich, CT 06830**

5. Pursuant to Mont. Code Ann. §§ 27-19-314 and 30-10-305(1)(b), the Respondent, Catherine Ann Finberg, is temporarily restrained from transferring, encumbering, or disposing of, or attempting to transfer, encumber, or dispose of any monies held in any other accounts, not listed above, owned or controlled by Finberg because the monies may not belong to Finberg and may have been obtained through fraud. For those accounts not listed above, the Petitioner shall provide a copy of this Order to the bank or securities broker in which the account is held and the bank or securities broker shall freeze the account, the same as if the account number and identifying information for the account were listed in paragraph 5 above.

6. This order shall expire on April 25, 2016 unless terminated earlier by order of this Court.

SHOW CAUSE HEARING SET

A Show Cause hearing is hereby set for Thursday, April 21, 2016 at 1:30 p.m. at the Flathead County Justice Center, 920 South Main Street, Kalispell, Montana.

DATED this 15th day of April, 2016.


DISTRICT COURT JUDGE

mailed Jesse Losovich
4/18/16 ce